

REMARKS/ARGUMENTS

Claims 1-5, 7-15, 17-25 and 27-30 were pending in this application. Claims 1, 11,, and 21 have been amended. No claims have been added or canceled. Hence, claims 1-5, 7-15, 17-25 and 27-30 remain pending. Support for the present amendments may be found, e.g., in the specification at least at pg. 18, first full paragraph, *etc.* As such, no new matter enters by way of the present amendment. Further, the claim amendments are intended to clarify the language of the claims as previously presented, and as such should not present issues requiring further search and consideration. Entry of the amendment and reconsideration of the subject application as amended is respectfully requested.

Claim Rejections Under 35 U.S.C. § 103(a)

Claims 1-5, 7-15, 17-25 and 27-30 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over the cited portions of U.S. Patent No. 6,738,784 to Howes, *et al.* (hereinafter “Howes”), in view of the cited portions of U.S. Patent No. 6,175,822 to Jones, *et al.* (hereinafter “Jones”). This rejection is respectfully traversed for at least the reasons which follow.

The presently claimed invention is directed to a method for capturing and transcribing information from a voice file, and to related systems and medium. The method includes providing instructions to a first remote device via the Internet for implementing a user interface according to user preferences. In accordance with the claimed invention, the user interface comprises an audible message that is accessed via a speech portal to guide a user through a process for transmitting a voice file for transcription. The voice file is then received via the Internet from the first remote device from the user, and sent to a remote transcription service provider via the Internet for transcription to a transcript file. The transcript file is then received back via the Internet from the remote transcription provider and distributed to a second remote device.

Whatever else Howes may disclose, as explained in the previous response, Howes does not teach or suggest a user interface which comprises an audible message that is accessed

via a speech portal. More particularly, Howes does not teach or suggest a user interface which includes an audible message to guide a user through a process for transmitting a voice file for transcription.

In this regard, in support of the rejection, the Office Action cites to the recovery software module 132 of Howes, and alleges that such module is a user interface according to user preferences comprising an audible message that is accessed via a speech portal. Applicants respectfully traverse. A storage mechanism for recording and recovering dictation does not teach or suggest the claimed user interface. Moreover, the claims have been amended to clarify that the audible message guides the user through the process for transmitting the voice file for transcription. There is no teaching in Howes that the recovery software module includes an audible message to guide the user in this regard, nor any suggestion to modify the teachings of Howes so as to arrive at such a configuration.

To establish a *prima facie* case of obviousness, the prior art reference (or references when combined) must teach or suggest all of the claim limitations. There must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. The teaching or suggestion to make the claimed combination must be found in the prior art, and not be based on applicant's disclosure. *See* M.P.E.P. §§ 2143.01 and 2143.03.

Again, there is no teaching or suggestion in Howes that would motivate one of skill in the art to modify the systems and methods of Howes so as to arrive at a configuration so as to provide a user interface with an audible message to guide a user through the transcription process. Absent such a teaching or suggestion, Howes fails to render the present claims unpatentable. For at least these reason, withdrawal of this rejection is respectfully requested.

Jones does nothing to remedy this deficiency. Even assuming, *arguendo*, that one of skill in the art would look to incorporate the web server of Jones into the systems and methods of Howes, there is still no motivation to provide the user interface of the presently claimed invention. For at least this additional reason, withdrawal of this rejection is respectfully requested.

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PATENT

CONCLUSION

In view of the foregoing, Applicants believe all claims now pending in this Application are in condition for allowance and an action to that end is respectfully requested.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 303-571-4000.

Respectfully submitted,

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